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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MARC A. STEPHENS,

Plaintiff,

v.

GURBIR S. GREWAL, et al.,

Defendants.

HON. KAREN M. WILLIAMS, U.S.D.J.
HON. MATTHEW J. SKAHILL, U.S.M.J.

CIVIL ACTION NO:
1:22-cv-01989

**ANSWER TO THE PLAINTIFF'S
COMPLAINT WITH DEFENSES AND
JURY DEMAND BY
DEFENDANT STOCKTON UNIVERSITY**

Defendant Stockton University, ("Answering Defendant") as and for Answer and Defenses to the Complaint filed by Marc A. Stephens ("Plaintiff") hereby state:

INTRODUCTION

1. This paragraph does not allege any facts and/or claims directed at Answering Defendant, and thus, no response is required. To the extent a response is required, then same is denied.

JURISDICTION AND VENUE

2. The Answering Defendant neither admits nor denies the contents of this paragraph as they are not factual allegations but rather legal conclusions to which no response is required. To the extent a response is required, then Answering Defendant admits that, to the extent Plaintiff is asserting federal claims, then this Court has jurisdiction; otherwise denied.

3. Answering Defendant admits that venue is proper.

4. Answering Defendant is without sufficient information to admit or deny the allegations contained within this paragraph.

5. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant.

6. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant. To the extent Plaintiff is asserting that Gurbir S. Grewal is the current Attorney General of New Jersey, then same is denied.

7. Admitted.

8. The Answering Defendant admits only that Robert Blaskiewicz, Jr. is an employee of Stockton University.

9. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant.

10. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant.

11. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant.

STATEMENT OF FACTS

12. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant.

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37. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant.

38. Denied.

39. Denied. The Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore deny the same.

40. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant.

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allegations since the allegations in this paragraph are not directed towards Answering Defendant.

51. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant.

52. Admitted only that Answering Defendant is an arm of the State of New Jersey, and thus, entitled to sovereign immunity. The balance of the allegations are directed at others.

53. The Answering Defendant neither admits nor denies the allegations since the allegations in this paragraph are not directed towards Answering Defendant.

CAUSES OF ACTION

54. Denied.

FIRST CAUSE OF ACTION

Violation of Due Process

55. Admitted that Answering Defendant is an arm of the State of New Jersey and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

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are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

57. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

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SECOND CAUSE OF ACTION

Malicious Prosecution

59. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

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admits nor denies the allegations.

61. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

THIRD CAUSE OF ACTION

Frivolous Claims - Malicious Abuse of Process

62. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

63. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

64. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

FOURTH CAUSE OF ACTION

False Evidence

65. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

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68. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

FIFTH CAUSE OF ACTION

Negligent Hiring

69. Pursuant to the Court's order, *ECF. 23*, these claims were dismissed with prejudice, and thus, no response is required.

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SIXTH CAUSE OF ACTION

Intentional Infliction of Emotional Distress

74. Pursuant to the Court's order, *ECF. 23*, these claims were dismissed with prejudice, and thus, no response is required.

75. The allegations that are not directed at Answering Defendant and are directed at other individuals. Answering Defendant neither admits nor denies the allegations.

76. Pursuant to the Court's order, *ECF. 23*, these claims were dismissed with prejudice, and thus, no response is required.

77. Pursuant to the Court's order, *ECF. 23*, these claims were dismissed with prejudice, and thus, no response is required.

SEVENTH CAUSE OF ACTION

Respondeat Superior

78. Pursuant to the Court's order, *ECF. 23*, these claims were dismissed with prejudice, and thus, no response is required.

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EIGHTH CAUSE OF ACTION

Defamation of Character

81. Pursuant to the Court's order, *ECF. 23*, these claims were dismissed with prejudice, and thus, no response is required. The allegations that are not directed at Answering Defendant and are directed at other individuals. Answering Defendant neither admits nor denies the allegations.

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85. Pursuant to the Court's order, *ECF. 23*, these claims

were dismissed with prejudice, and thus, no response is required.

NINTH CAUSE OF ACTION

Malicious Use of Process

86. Pursuant to the Court's order, *ECF. 23*, these claims were dismissed with prejudice, and thus, no response is required. The allegations that are not directed at Answering Defendant and are directed at other individuals. Answering Defendant neither admits nor denies the allegations.

87. Pursuant to the Court's order, *ECF. 23*, these claims were dismissed with prejudice, and thus, no response is required. The allegations that are not directed at Answering Defendant and are directed at other individuals. Answering Defendant neither admits nor denies the allegations.

88 Pursuant to the Court's order, *ECF. 23*, these claims were dismissed with prejudice, and thus, no response is required. The allegations that are not directed at Answering Defendant and are directed at other individuals. Answering Defendant neither admits nor denies the allegations.

TENTH CAUSE OF ACTION

Violation of Civil Rights Pursuant to 42 U.S.C. § 1983

(Failure to Implement Appropriate Policies, Customs, and Practices)

89. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of

the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

90. Admitted that Answering Defendant is an arm of the State and is thus entitled to sovereign immunity. As to the balance of the allegations that are not directed at Answering Defendant and are directed at other individuals, Answering Defendant neither admits nor denies the allegations.

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PRAYER FOR RELIEF

WHEREFORE, Answering Defendant denies liability and that Plaintiff is entitled to the remedies sought. As such, Answering Defendant respectfully requests that Plaintiffs' claims be dismissed, with prejudice, that judgment be entered in their favor and that they be awarded costs and fees.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

At all times relevant hereto, Answering Defendant has acted in good faith and without fraud or malice.

SECOND AFFIRMATIVE DEFENSE

Answering Defendant has not deprived plaintiff of any right, privilege or immunity secured to them by the Constitution and laws of the State of New Jersey.

THIRD AFFIRMATIVE DEFENSE

The Complaint fails to state a claim against Answering Defendant upon which relief may be granted.

FOURTH AFFIRMATIVE DEFENSE

Answering Defendant is immune from suit.

FIFTH AFFIRMATIVE DEFENSE

Recovery is barred in this action by reason of the applicable statutes of limitations.

SIXTH AFFIRMATIVE DEFENSE

Answering Defendant is immune from suit based on the doctrine of sovereign immunity.

SEVENTH AFFIRMATIVE DEFENSE

The Plaintiff's claims are barred by the doctrines of collateral estoppel and/or res judicata and/or entire controversy and/or issue preclusion.

EIGHTH AFFIRMATIVE DEFENSE

Damages, if any, were the result of the Plaintiff's own actions and/or inactions.

NINTH AFFIRMATIVE DEFENSE

Plaintiff is not a member of a protected class.

TENTH AFFIRMATIVE DEFENSE

Plaintiff was not subject to any bias, unlawful discrimination, retaliation or to a hostile work environment.

ELEVENTH AFFIRMATIVE DEFENSE

Answering Defendant has a reasonable policy against discrimination, harassment and retaliation that was properly applied to Plaintiff's complaints, and Answering Defendant exercised reasonable care to prevent and correct promptly any discriminatory, harassing or retaliatory behavior, and the Plaintiff unreasonably failed to take advantage of any corrective opportunities provided by Answering Defendant to avoid harm.

TWELFTH AFFIRMATIVE DEFENSE

Answering Defendant took prompt and remedial action.

THIRTEENTH AFFIRMATIVE DEFENSE

The Plaintiff has failed to exhaust administrative remedies available to him.

FOURTEENTH AFFIRMATIVE DEFENSE

The Plaintiff's damages, if any, are barred because the Plaintiff has failed to mitigate damages.

FIFTEENTH AFFIRMATIVE DEFENSE

The Plaintiff is not entitled to punitive damages.

JURY DEMAND

Answering Defendant demands trial by jury on all issues so triable.

DESIGNATION OF TRIAL COUNSEL

Please be advised that Deputy Attorney General Rachel B. Kristol is hereby designated as trial counsel.

Matthew J. Platkin
Attorney General of N.J.

/s/ Rachel B. Kristol
Rachel Kristol
Deputy Attorney General

Dated: February 13, 2024

CERTIFICATION OF NO OTHER PENDING LITIGATION

I hereby certify, in accordance with Rule L.Civ.R. 11.2, the matter in controversy is not the subject of any other action pending in any court, or of any pending arbitration or administrative proceeding, and that there are no other parties who should be joined in this action.

By: /s/ Rachel B. Kristol

Rachel B. Kristol
Deputy Attorney General

Dated: February 13, 2024

CERTIFICATION OF SERVICE

I, Rachel B. Kristol, hereby certify that Defendant's Answer and Defenses to Plaintiff's Amended Complaint and Jury Demand was electronically filed with the Clerk of the United States District Court and thereby served on all counsel of record.

By: /s/ Rachel B. Kristol

Rachel B. Kristol
Deputy Attorney General

Dated: February 13, 2024